

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of Inventors:

Vincent Pluvinage et al.

Application No.: 09/830,488

Filed: 26 April 2001

Title: System and Method for Producing and Storing

Hearing Profiles and Customized Audio Data

Based on Such Hearing Profiles

Group Art Unit:

2643

Examiner:

Conf. No.

8079

Customer No. 22470

MS Amendment Commissioner for Patents P.O. Box 1450 Alexandria, VA 22313-1450

INFORMATION DISCLOSURE STATEMENT UNDER 37 C.F.R. §1.56

Sir:

It is requested that the information identified in this statement be considered by the Examiner and made of record in the above-identified application. This statement is not intended to represent that a search has been made or that the information cited in the statement is, or is considered to be, material to patentability as defined in 37 C.F.R. 1.56.

Enclosed with this statement is a Form PTO-SB/08. The Examiner is requested to initial the form and return it to the undersigned in accordance with MPEP 609.

This statement should be considered under 37 C.F.R. 1.97(c) because it is being filed before the mailing date of a FINAL office action, a Notice of Allowance, or an action that otherwise closes prosecution in the subject application, whichever occurs first, AND each item of information contained in the information disclosure statement was first cited in any communication from a foreign patent office in a counterpart foreign application not more than three months prior to the filing of the information disclosure statement.

The Commissioner is hereby authorized to charge any underpayment or credit any overpayment associated with this communication to Deposit Account No. 50-0869 (RXSD 1001-3). A copy of this authorization is enclosed.

Respectfully submitted,

HAYNES BEFFEL & WOLFELD LLP

Date: 30 Man 06

Mark A. Haynes, Reg. No. 30,846

HAYNES BEFFEL & WOLFELD LLP

P.O. Box 366

Half Moon Bay, CA 94019 Telephone: (650) 712-0340 Facsimile: (650) 712-0263

PTO/SB/08A (07-05)

Approved for use through 07/31/2006, OMB 0651-0031 U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

ter the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it contains a valid OMB control number

Substitute for form 1449/PTO

Sheet 1

INFORMATION DISCLOSURE STATEMENT BY APPLICANT

(Use as many sheets as necessary)

Complete if Known				
Application Number	09/830,488	_		
Filing Date	26 April 2001			
First Named Inventor	Vincent Pluvinage			
Art Unit	2643			
Examiner Name		_		
Attorney Docket Number	RXSD 1001-3	_		

				T DOCUMENTS		
Examiner Cite No.1		Document Number	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear	
	 	Number-Kind Code ^{2 (if known)}			rigules Appeal	
	1	^{US-} 6061431-A	05-09-2000	Knappe et al.	_ ·	
		US-				
		US-				
		US-				
		US-				
		US-				
	<u> </u>	US-				
		US-				
		US-				
-		US-				
		US-				
		US-				
		US-				
		US-				
		US-		-		
		US-				
		US-		<u> </u>		
		US-				
		US-				

Cite No.1	Foreign Patent Document	Publication Date	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages	
	Country Code ³ "Number ⁴ "Kind Code ⁵ (if known)	MM-DD-YYYY		Or Relevant Figures Appear	T⁵
2	EP-0705016-A	04-03-1996	AT&T Corp.		
 - 3	EP-0719016-A	06-26-1996	SharpKabushikiKaisha	-	
4	EP-0912029-A	04-28-1999	Deutsch Telekom AG	abstr. in English	
		1			Γ

Examiner	Date	
Signature	Considered	

EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not **EXAMINER: Initial ir reference considered, whether of not cuation is in communication with interest of the considered include copy of this form with next communication to applicant. Applicant's unique citation designation number (optional). See kinds Codes of USPTO Patent Documents at www.uspto.gov or MPEP 901.04. The Third Th Translation is attached

Transation is attached.

This collection of information is required by 37 CFR 1.97 and 1.98. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 2 hours to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND

TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

If you need assistance in completing the form, call 1-800-PTO-9199 (1-800-786-9199) and select option 2.

PTO/SB/08B (07-05)

Approved for use through 07/31/2006. OMB 0651-0031
U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

Substitute for form 1449/PTO				Complete if Known		
				Application Number	09/830,488	
INF	ORMATION	DIS	CLOSURE	Filing Date	26 April 2001	
STATEMENT BY APPLICANT			PPLICANT	First Named Inventor	Vincent Pluvinage	
(Use as many sheets as necessary)				Art Unit	2643	
(656 as many sheets as hestessary)			ecessary	Examiner Name		
Sheet	2	of	2	Attorney Docket Number	RXSD 1001-3	

NON PATENT LITERATURE DOCUMENTS				
Examiner Initials*	Cite No. ¹	Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issue number(s), publisher, city and/or country where published.	T ²	
	5	Supplementary Partial European Search Report, EP00961982, 28 February 2006		
		•		

Examiner	Date	
Signature	Considered	

^{*}EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

Applicant's unique citation designation number (optional). 2 Applicant is to place a check mark here if English language Translation is attached.

This collection of information is required by 37 CFR 1.98. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 2 hours to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. **SEND TO**: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

Certificate of Mailing or Transmission under 37 CFR 1.8

I hereby certify that this correspondence

IDS (1p) PTO/SB/08 (2pp) 4 ref. copies

is being deposited with the USPS with sufficient postage as first class mail in an envelope addressed to:

MS Amendment Commissioner for Patents P.O. Box 1450 Alexandria, VA 22313-1450

or being transmitted to the USPTO (571) 273-8300

on 31 March 2006.

Diane Bergin Reg. No. 51, 101

(650) 712-0340